

JEFFERSON COUNTY COMMISSIONERS
REGULAR MEETING
JANUARY 11, 2016
7:00 P.M.

This was the regular scheduled meeting for the month of January. It was held at the Jefferson County Commissioners Office.

Those present were as follows: Mitchell McGraw, Chairman; Gonice C. Davis, Member; Tommy New, Member; Johnny Davis, Member; Wayne Davis, Member; Adam Mestres, County Administrator; Dalton Dowdy, County Attorney; and Bonnie Wells, County Clerk.

Chairman McGraw called the meeting to order and Commissioner Johnny Davis gave the invocation.

Commissioner Johnny Davis made a motion to amend the agenda by forgoing all reports except the chairman's and administrator's report. Commissioner Gonice Davis seconded the motion. The vote was unanimous.

Commissioner Johnny Davis made a motion to adopt the agenda. Commissioner Gonice Davis seconded the motion. The vote was unanimous.

Commissioner Wayne Davis made a motion to adopt the minutes. Commissioner New seconded the motion. The vote was unanimous.

Chairman McGraw presented the chairman's report and County Administrator, Adam Mestres, presented the county administrator's report.

Consent Agenda

There were no Consent Agenda items.

OLD BUSINESS

Land Use & Development Ordinance

County Attorney, Dalton Dowdy, introduced the Land Use & Development Ordinance to the board for review. The tentative ordinance was discussed at length; with the issue of distance throughout the ordinance. Commissioner Wayne Davis made a motion to change all the distances in the Land Use Ordinance from what they presently are to two thousand feet; specifically, the distances in Section 20-489 (Land application of sewage sludge or septage). Commissioner Johnny Davis seconded the motion. Discussion: *Commissioner New wanted to know if they pass the ordinance with the 2000 feet would that set precedence for everything else. Mr. Dalton said he didn't think so and he felt it would be specific to that one particular item. He added he didn't think chicken houses would be a valid comparison as far as footage requirements were concerned. He also referenced an ordinance provided by Commissioner Johnny Davis which put the range at 1,500 feet for chicken houses from residential areas and churches, adding, if it pleased the board he would be happy to get a poultry ordinance together. Commissioner Johnny Davis read the following section from the Land Use & Development Ordinance:*

Sec. 20-789. - Poultry houses and barns.

No commercial poultry house or structure for the keeping of livestock for commercial purposes shall be constructed closer than 200 feet from side and rear property lines. In the R-A zones, the side or rear setback for such structures shall remain the same as for any other structure within the same district.

(Ord. of 7-13-1999(02), art. XVIII, § 18-7)

After reading the excerpt, Commissioner Davis asked if it should be replaced with something else now. Mr. Dowdy stated they could definitely expand on that down the road. Commissioner New stated according to the aforementioned excerpt, if he had a neighbor who wanted a hog pen, it only had to be 200 feet from his, Commissioner New's, house. Mr. Dowdy agreed. Commissioner New stated once the ordinance was passed they, the board, would have to live with the good and the bad. Commissioner Gonice Davis stated he was traveling to Brunswick and passed a lot of chicken houses being built and they were not 1,000 feet from the highway; you could see them right there. Commissioner New said the way he understood the regulations with the chicken houses now, is if there were one at the courthouse, you couldn't smell it or nothing else, you would only hear the noise. It's not the same thing with a hog pen. He just wanted the board to know that once the ordinance is passed they would have to live with it. The chairman said they would live with it until they had hearings, etc. and changed it again if necessary. Mr. Dalton explained the final decision belonged to the board of commissioners. Commissioner Wayne Davis commented if the ordinance was passed it did not need to be thrown up on a shelf and forgotten about; planning and zoning needed to know what's in it. Mr. Dalton added the ordinance was already in place, it was now being brought up to date. The vote was unanimous.

FY 15 Audit Report Presentation

JONES, JONES, DAVIS & ASSOCIATES

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MEMBERS
 AMERICAN INSTITUTE OF
 CERTIFIED PUBLIC ACCOUNTANTS
 GEORGIA SOCIETY OF
 CERTIFIED PUBLIC ACCOUNTANTS

Honorable Chairman and Members of the
Board of Commissioners of Jefferson County
Louisville, Georgia

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Jefferson County, Georgia (the County), as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the County's basic financial statements as listed in the table of contents.

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Our responsibility is to express opinions on these financial statements based on our audit. We did not audit the financial statements of the Hospital Authority of Jefferson County and the City of Louisville, a discretely presented component unit, whose statements reflect total assets of \$9,049,000 and total net position of \$6,409,000 as of December 31, 2014 and total revenues of \$13,493,000 for the year then ended. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion, insofar as it related to the amounts included for the Hospital Authority of Jefferson County and the City of Louisville, is based on the report of other auditors.

reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's basic financial statements. The combining and individual nonmajor fund financial statements, the Section 5311 program statement and the accompanying schedule of projects constructed with special purpose local option sales tax proceeds are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements, the accompanying schedule of projects constructed with special purpose local option sales tax proceeds and the Section 5311 program statement are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements, the Section 5311 program statement and the accompanying schedule of projects constructed with special purpose local option sales tax proceeds are fairly stated in all material respects in relation to the basic financial statements as a whole.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 21, 2015, on our consideration of the County's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the County's internal control over financial reporting and compliance.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Jefferson County, Georgia, as of June 30, 2015, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the budgetary comparison information on page 39 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial

Old Landfill Remediation Report Presentation

SUMMARY OF 2015 REMEDIATION SYSTEM OPERATION AVERY ROAD LANDFILL, JEFFERSON COUNTY, GEORGIA

1. Air sparging system operation utilizing a 5-horsepower (hp) compressor began in mid-January 2004. The expanded and current air-sparge system, utilizing a 40-hp compressor, became fully operational on November 11, 2004.
2. Contaminants of concern (COC) concentrations of DCE, TCE and VC have been reduced below EPA maximum contaminant levels (Ma) or to below detection levels (BDL) in downgradient system monitoring wells GWC-5, MW-24, MW-26, and MW-29, since January 2004, coinciding with operation of the air-sparging system. Since expansion of the system in November 2004, COC concentrations in GWC-4 have also decreased to BOB. Therefore, it appears that the air-sparging system continues to reduce COC concentrations in the contaminant plume as the plume migrates downgradient from the landfill.

3.

Similar reductions of COCs occurred in well GWC-6 between 2005 and 2010. However, during the March 2011 and 2015 sampling events, c-DCE and TCE concentrations in GWC-6 temporarily increased to levels above the Mas. The intermittent increase in COC concentrations at GWC-6 may be the result of greater precipitation in 2010 (following the drought of 2008/2009) and 2015, which likely increased the generation of leachate from the landfill. Greater leachate generation could result in a net increase in contaminant flux migrating from the landfill, thus potentially temporarily raising COC concentrations downgradient of the landfill. However, following increased operation time of the rernediation air compressor, the DCE concentrations in GWC-6 have decreased to below the MCL.
4.

The overall mitigation of the downgradient COC plume is further demonstrated by the COC concentration decrease in all farther downgradient sentinel wells and springs since 2005 (see Fig. 8). This decrease in DCE to below MCL concentrations in farther downgradient wells with time of system operation is shown on Figure 9 for wells TP-10S and. TP-11D.
5.

Evaluation of the groundwater air-sparging system during its 11 years of system operation has indicated that the system has been effective at reducing COC concentrations. Moreover, there appears to be a notable reduction in COC concentrations in the sentinel monitoring wells farther, over 1,000 feet, downgradient of the air sparge system following eleven years of expanded system operation.

The board thanked Mr. Gorman for an informative presentation.

Appointment of Department Heads

Chairman McGraw re appointed the following people in the positions listed below for the 2016 calendar year:

Dalton Dowdy	County Attorney
Adam Mestres	County Administrator
Bonnie Wells	County Clerk
William Evans	Warden
Calvin Oliphant	Deputy Warden
Tammie Bennett	Leisure Center Director
Sylvia Cobb	Transit Director
Jim Anderson	911/EMA/Fire Director
Eugene Cunningham	Athletic Director
Ken Thomas	Public Works Director

Commissioner Johnny Davis made a motion to accept the aforementioned appointments given by the chairman. Commissioner Gonice Davis seconded the motion. The vote was unanimous.

Retirement Plan Resolution and Documents Amendment Approval

County Administrator, Adam Mestres, presented a resolution for the county’s retirement plan along with amendment documents which required approval. The documents are shown below:

ADOPTION AGREEMENT AMENDMENT #2
TO ASSOCIATION COUNTY COMMISSIONERS OF GEORGIA
401(a) DEFINED CONTRIBUTION PLAN
FOR JEFFERSON COUNTY EMPLOYEES

WHEREAS, Jefferson County, Georgia (the "County") previously adopted the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Jefferson County Employees (the "Plan") through an Adoption Agreement, most recently dated December 16, 2015, and effective January 1, 2016;

WHEREAS, the County desires to amend the elective provisions of the Plan's Adoption Agreement to change the participant eligibility for the 401(a) plan to the Employee's Employment Commencement Date for Employees hired on and after January 1, 2016;

WHEREAS, Section 13.01 of the Plan allows the Employer to amend the elective provisions of the Adoption Agreement at any time; and

NOW, THEREFORE, the Adoption Agreement is hereby amended as follows effective as of January 1, 2016:

1.

Section 3.01 of the Plan "Participation Eligibility" is hereby amended with respect to Employees hired on and after January 1, 2016, to read as follows:

3.01

PARTICIPATION ELIGIBILITY.

Eligibility Date Determination

[--]

Date on which the Eligible Employee completes ____ () Year(s) of Service

[X]

The Eligible Employee's Employment Commencement Date

[--]

The later of the date on which the Eligible Employee completes ____ () Years of Service or attains age ____ ()

[--]

Other date (specify):

IN WITNESS WHEREOF, the Employer has caused its duly authorized officer to execute this Amendment on the date noted below.

JEFFERSON COUNTY, GEORGIA

By: _____

Title: _____

Date: _____

RESOLUTION TO AMEND
ACCG 401(a) DEFINED CONTRIBUTION PLAN
FOR JEFFERSON COUNTY EMPLOYEES

WHEREAS, Jefferson County, Georgia (the "County") previously adopted the Association County Commissioners of Georgia 401(a) Defined Contribution Plan for Jefferson County Employees (the "Plan") through an Adoption Agreement, most recently dated December 16, 2015, and effective January 1, 2016;

WHEREAS, the County desires to amend the elective provisions of the Plan's Adoption Agreement to change the participant eligibility for the 401(a) plan to the Employee's Employment Commencement Date for Employees hired on and after January 1, 2016;

WHEREAS, Section 13.01 of the Plan allows the Employer to amend the elective provisions of the Adoption Agreement at any time; and

NOW THEREFORE, BE IT RESOLVED that the Jefferson County Board of Commissioners hereby amends the Plan as provided in the attached Adoption Agreement Amendment #2, effective as of January 1, 2016.

FURTHER RESOLVED, that _____, **Chairman**, is hereby authorized by the Jefferson County Board of Commissioners to execute any documents and to take all further actions necessary to carry out the intent and purposes of the foregoing resolutions.

FURTHER RESOLVED that any resolution in conflict with this resolution is hereby repealed.

FURTHER ORDERED that a true copy of this resolution be recorded in the County's records as of this date.

This ____ day of _____, 2016.

JEFFERSON COUNTY, GEORGIA

By: _____

Title: _____

Date: _____

Attest:

By: _____

Witness

Mr. Mestres’ recommendation was for the board to adopt the resolution and approve the subsequent agreement. Commissioner New made a motion to adopt the resolution and approve the agreement. Commissioner Wayne Davis seconded the motion. The vote was unanimous.

Green Box Waste Sites Upgrade

Chairman McGraw expressed concern for the signs being displayed at the county’s green box sites. He shared with the board signs he obtained from a neighboring county’s green box (dump) site; those signs are shown below.



Chairman McGraw indicated the signs at Jefferson County’s dumpsites needed to be upgraded and he wanted signs similar to the ones presented above. He also indicated he would like for cameras to be installed at all the dumpsites with the funds for the signs and cameras coming from the landfill’s budget. Commissioner Johnny Davis made a motion to purchase ten cameras and the signs to go on the dumpsters. Commissioner Wayne Davis seconded the motion. Discussion: *Commissioner New wanted to know if someone was caught on the camera were the county going to prosecute. The chairman stated they would be. Commissioner New stated not with a \$10 fine. Jimmy Kitchens, Code Enforcement Officer, stated if it came before Judge Anita Thompson they will be charged. Commissioner Wayne Davis said he would like for the dumpsites to be converted to convenience centers so if the right dumpsters were placed out there for the citizens to place appliance, i.e. refrigerators, etc.* The vote was unanimous.

County Road Maintenance

Commissioner Johnny Davis discussed the county maintained roads in district 2 and their need for repairs. Ken Thomas, Public Works Director, addressed the concerns of Commissioner Johnny Davis by explaining the inclement weather played a large role in their inability to maintain the roads.

Scheduled Public Comments

There were no scheduled public comments.

Public Comments on Agenda Items

No comments on agenda items.

Adjournment

Commissioner New made a motion to adjourn the regular meeting. Commissioner Johnny Davis seconded the motion. The vote was unanimous.

Attest:

County Clerk

Mitchell McGraw, Chairman

Gonice C. Davis, Vice Chairman

H. G. Thomas New, Member

Johnny A. Davis, Member

Charles Wayne Davis, Member